



**Organizations Concerned
about
Rural Education**

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Member Organizations

American Association of School
Administrators
American Association of State
Colleges and Universities
American Library Association
Communicating for Agriculture
Forest Counties School Coalition
Lightspan, Inc.
M W Financial, Inc.
National Association of Counties
National Association of Elementary
School Principals
National Association of Federally
Impacted Schools
National Association of Secondary
School Principals
National Education Association
National Education Knowledge
Industry Association
National Farmers Union
National Grange
National Indian School Boards
Association
National Rural Education Association
National Rural Electric Cooperative
Association
National School Boards Association
North Country Education Foundation
of New Hampshire
Rebuild America's Schools
Rural School and Community Trust
Rural Telephone Finance Cooperative
SBC Telecommunications, Inc.
U S West Communications
Verizon

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February 6, 2003

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S W
Washington, DC 20554

**Re: Ex Parte Comments. In the Matter of CC Docket No. 01-338,
Review of the Section 251 Unbundling Obligations of Incumbent
Local Exchange Carriers; CC Docket No 96-98, Implementation of
the Local Competition Provisions of the Telecommunications Act of
1996; and CC Docket No 98-147, Deployment of Wireline Services
Offering Advanced Telecommunications Capability.**

Dear Secretary Dortch:

Organizations Concerned about Rural Education (OCRE) represents the interest of educators, students and learning institutions in rural communities throughout the United States. We remain steadfast in our commitment to ensure students in rural America have access to modern schools, quality teachers and first class resources. For this reason, we want to re-emphasize our view that learning and teaching in the 21st century also requires access to the Internet and to other advanced technologies.

OCRE has repeatedly urged the Commission to eliminate barriers to broadband deployment and increased competition in the long distance market. Telecommunications services must be available and affordable to rural schools and homes just as they are available to their urban and suburban counterparts. Yet, rural America is still neglected by many of the nation's telecommunications providers who opt to offer their services to business customers and high volume customers. Consequently, rural students, teachers and educational institutions have fewer choices and are at risk of being denied access to advanced services and technologies.

We believe that this unacceptable situation is compounded by the unbundled network elements platform (UNE-P) rules that you are currently reviewing. By requiring incumbent telephone companies to lease their networks to competitors at below wholesale rates, the FCC has unintentionally created an environment where competitors have no incentive to build their own facilities. Another unintended consequence is that the incumbent telephone providers are reluctant to invest in the networks or build them out for fear they will have to provide them to competitors at artificially low rates. From a pure business standpoint, we can't blame them.

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And yet, we see that UNE-P rules do not apply to wireless and cable providers and they have succeeded in building competing facilities. As a result, OCRE would like to see the incumbent telephone providers unleashed from rules that are outdated and which act as an obstacle to growth. We believe this will greatly enhance the competitive environment in rural America and provide our members with more services, more options and ultimately a better educational environment.

OCRE urges the FCC to eliminate the UNE-P rules and to pay particular attention to rural America during subsequent reviews to ensure that the changes have the desired outcome.

Sincerely,

A handwritten signature in black ink, appearing to read "Dale Lestina". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Dale Lestina
President